IN THE HIGH COURT OF BOMBAY AT GOA

STAMP NUMBER (APPLN.) NO. 939 OF 2001

M/S BHARATIYA DEVELOPMENT FINANCE LTD. ....Appellants

MS.AMIRA RAZAQ,

Coram:- P. V. HARDAS, J.

Date:- 12th December, 2003

P.C.:

Heard Miss Amira Razak, learned Counsel for the Applicant.

Respondent Nos.1 and 3 are served.

Respondent No.2 could not be served as the notice was returned back with the report that Respondent No.2 had expired. Thereafter no steps have been taken since 29th November, 2001 for bringing the legal heirs of deceased Respondent No.2 on record.

This Court by its Order dated 21st November, 2003, had granted last opportunity to the Applicant to take steps to serve Respondent No.2. No steps have been taken for bringing the legal heirs of deceased Respondent No.2 on record. In view of this, the application against Respondent No.2 dismissed as abated.

Respondent Nos.1 and 3 absent when called out. Despite service Respondent Nos.1 and 3 have not put their

appearance.

The learned Counsel for the Applicant states that Ex-Directors have not responded to the various letters of the Applicant and hence steps could not be taken.

In view of this, the claim of the Applicant against Respondent Nos.1 and 3 for Rs.11,295/- with future interest at the rate of 20% per annum with costs of Rs.1000/- is decreed against the Respondents.

Decree be drawn accordingly.

P. V. HARDAS, J.